

United States District Court
District of Wyoming

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING

NOV 05 2021
11:31 a.m.
Margaret Botkins, Clerk
Cheyenne

CHRIS M. WILLMER, SR.

Plaintiff(s)

(In the space above enter the full name(s) of the plaintiff(s). If you cannot fit the names of all of the plaintiffs in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names),

v. (-against-)

DANNY L. GLICK
CORRHEALTH, INC.
DEPUTY LITTAU
JOHN AND JANE DOES 1 THROUGH 10
Defendant(s)

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Section IV. Do not include addresses here.)

Case No. 21-cv-204-S

(To be filled out by Clerk's

Office only)

COMPLAINT

(Pro Se Prisoner)

Jury Demand?

☒ Yes

☐ No

NOTICE

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

COMPLAINT

Indicate below the federal legal basis for your claim, if known. This form is designed primarily for pro se prisoners challenging the constitutionality of their conditions of confinement, claims which are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

☒ 42 U.S.C. § 1983 (*state, county, or municipal defendants*)

☐ *Action under Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971) (federal defendants)*

PLAINTIFF INFORMATION

WILLMER, SR., CHRIS M.
Name (Last, First, MI)

Aliases

061253
Prisoner ID #

LARAMIE COUNTY JAIL
Place of Detention

1910 PIONEER AVENUE

Institutional Address

LARAMIE, CHEYENNE WYOMING 82001
 County, City State Zip Code

PRISONER STATUS

Indicate whether you are a prisoner or other confined person as follows:

- ☒ *Pretrial detainee*
☐ *Civilly committed detainee*
☐ *Immigration detainee*
☐ *Convicted and sentenced state prisoner*
☐ *Convicted and sentenced federal prisoner*

DEFENDANT(S) INFORMATION

Please list the following information for each defendant. If the correct information is not provided, it could result in the delay or prevention of service. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper using the same format for any additional defendants.

Defendant 1: GLICK, DANNY L.

Name (Last, First)

SHERIFF

Current Job Title

1910 PIONEER AVENUE

Current Work Address

LARAMIE, CHEYENNE WYOMING 82001
 County, City State Zip Code

Defendant 2: CORRHEALTH, INC.

Name (Last, First)

HEALTHCARE COMPANY

Current Job Title

1910 PIONEER AVENUE

Current Work Address

LARAMIE, CHEYENNE WYOMING 82001

County, City

State

Zip Code

Defendant 3: DEPUTY LITTAU

Name (Last, First)

DEPUTY SHERIFF - DETENTION DIVISION

Current Job Title

1910 PIONEER AVENUE

Current Work Address

LARAMIE, CHEYENNE WYOMING 82001

County, City

State

Zip Code

Defendant 4: JOHN AND JANE DOES 1 THROUGH 10

Name (Last, First)

UNKNOWN - - WILL OBTAIN DURING DISCOVERY

Current Job Title

1910 PIONEER AVENUE

Current Work Address

LARAMIE CHEYENNE WYOMING 82001

County, City

State

Zip Code

STATEMENT OF CLAIM ONE

Place(s) of occurrence: LARAMIE COUNTY JAIL, 1910 PIONEER AVENUE,
CHEYENNE, WYOMING 82001

Date(s) of occurrence: AUGUST 24, 2021 TO PRESENT

State which of your federal constitutional or federal statutory rights have been violated:

EIGHTH AMENDMENT - FREE FROM CRUEL AND UNUSUAL PUNISHMENT

State here briefly the FACTS that support your case. Describe how each defendant was personally involved in the alleged wrongful actions, state whether you were physically injured as a result of those actions, and if so, state your injury and what medical attention was provided to you

FACTS:

What happened to you?

ON AUGUST 24th, 2021, I SUFFERED A MAJOR MEDICAL EMERGENCY. DURING THIS EMERGENCY, I WAS LEFT ON THE FLOOR OF THE JAIL CELL AND WAS NOT PROVIDED MEDICAL ATTENTION, LASTING FOR MORE THAN ONE (1) HOUR.

Who did what?

CORRHEALTH'S ON DUTY NURSE AND DEPUTY LITAU FAILED TO RESPOND TO MY CALLS FOR ASSISTANCE, AS WELL AS THE CALLS MADE BY OTHER

INMATES IN THE POD. THIS WAS DENIAL OF
EMERGENT MEDICAL CARE.

Was anyone else involved?

LIEUTENANT JOHNSON #C301, CAPTAIN DON HOLLINGSHEAD
#CA, SHERIFF DANNY GLICK #C1, ALL WERE INVOLVED
IN THE GRIEVANCE PROCEDURE AND DENIED ANY
WRONG DOING AND ATTEMPTED TO COVER UP
THE INCIDENT.

STATEMENT OF CLAIM TWO

Place(s) of occurrence: LARAMIE COUNTY JAIL, 1910 PIONEER AVENUE, CHEYENNE, WY 82001

Date(s) of occurrence: AUGUST 24th, 2021 TO PRESENT

State which of your federal constitutional or federal statutory rights have been violated:

DENIAL OF ADEQUATE MEDICAL CARE

State here briefly the FACTS that support your case. Describe how each defendant was personally involved in the alleged wrongful actions, state whether you were physically injured as a result of those actions, and if so, state your injury and what medical attention was provided to you.

FACTS:

What happened to you?

AFTER FINALLY BEING TAKEN TO THE HOSPITAL FOR EMERGENCY MEDICAL TREATMENT, THE EMERGENCY ROOM DOCTOR REFERRED ME TO FOLLOW UP WITH NEUROLOGY. THE JAIL STAFF HAS FAILED TO COMPLY WITH THAT MEDICAL REFERRAL, THEREBY EXASPERATING MY SERIOUS MEDICAL CONDITION.

Who did what?

CORRHEALTH, INC. AND DANNY GLICK HAVE
KNOWINGLY REFUSED TO ALLOW PLAINTIFF TO
SEE THE REQUIRED NEUROLOGIST, WHEREBY
DENYING ME ACCESS TO ADEQUATE AND
APPROPRIATE MEDICAL CARE.

Was anyone else involved?

LIEUTENANT JOHNSON #C301 DENIED THE FILED
GRIEVANCE.

[Attach additional sheets of paper using the same format for additional claims.]

ADMINISTRATIVE PROCEDURES

PLEASE NOTE: Prisoners **must exhaust** administrative procedures before filing an action in federal court about prison conditions. 42 U.S.C. § 1997e(a). Your case may be dismissed if you have not exhausted your administrative remedies.

Exhaustion of Administrative Remedies as to Claim One

- (a) Is there a grievance procedure at your institution? ☒ Yes ☐ No
- (b) Have you filed a grievance about the facts in claim one? ☒ Yes ☐ No
(If you did not file a grievance, skip to d.)
- (c) If your answer is YES:
1. Was the grievance: Informal ☐ Formal ☐ Both ☒
 2. What was the result? Denied, stated jail did nothing wrong
 3. Did you appeal? ☒ Yes ☐ No
 4. If you did appeal, what was the result? Denied, stated jail did nothing wrong
- (d) If your answer is NO, explain why you did not file a grievance: _____

Exhaustion of Administrative Remedies as to Claim Two

- (a) Is there a grievance procedure at your institution? ☒ Yes ☐ No
- (b) Have you filed a grievance about the facts in claim one? ☒ Yes ☐ No
(If you did not file a grievance, skip to d.)
- (c) If your answer is YES:
1. Was the grievance: Informal ☐ Formal ☐ Both ☒
 2. What was the result? DENIED. NO ACTION TAKEN

3. Did you appeal? ☒ Yes ☐ No

4. If you did appeal, what was the result? DENIED. JAIL STATED
THEY DID NOTHING WRONG

(d) If your answer is NO, explain why you did not file a grievance: _____

[Attach additional sheets of paper using the same format for additional claims.]

RELIEF

State briefly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.

① INJUNCTIVE RELIEF REQUIRING DEFENDANTS TO
PROVIDE ADEQUATE MEDICAL CARE
② \$100,000 PUNITIVE DAMAGES, PER DEFENDANT,
PER OCCURANCE.

PRISONER'S LITIGATION HISTORY

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in forma pauperis in federal court if that prisoner has "on three or more occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. §1915(g).

cost of litigation; (2) is supported by existing law or by a non-frivolous argument for extending or modifying existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the facts in this complaint are true to the best of my knowledge, information and belief. I understand if this certification is not correct, I may be sanctioned by the Court.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Plaintiff must sign and date the complaint and provide prison identification number and prison address.

OCTOBER 07, 2021
Dated


Plaintiff's Signature

WILLMER, SR., CHRIS M.
Plaintiff's Printed Name (Last, First, MI)


061253
Plaintiff's Prison Identification #

<u>1910 PIONEER AVENUE</u>	<u>CHEYENNE</u>	<u>WY</u>	<u>82001</u>
Prison Address	City	State	Zip Code

CERTIFICATION OF MAILING

I declare under penalty of perjury this Complaint was placed in the institutional mailing system or deposited with prison officials on the 07 DAY OF OCTOBER, 2021 (month, day, year). I attest first-class postage has been prepaid.

Executed (signed) on 07 DAY OF OCTOBER, 2021. (date)



Signature of plaintiff

CHRIS M. WILLMER, SR.
1910 PIONEER AVENUE
CHEYENNE, WY 82001

LARAMIE COUNTY SHERIFF'S DEPARTMENT

DETENTION DIVISION

INMATE REQUEST

Inmate: (Last) Withmer SR (First) Chris (Middle) M

Date: 8/25/21 Pod: M Room: 406

Purpose: ☐ Release Date ☐ Court Issues ☐ Inmate Labor Status
☐ Notary Service ☐ Programs ☐ Mail Issues
☐ Medical/Sp. Diet ☐ Classification ☒ Other: Copies

Request:

May I get copies of my
medical papers from my trip to
the hospital 8/24/21
All papers thank you Chris Withmer

Received by: Buckley 721 Date: 08-24-21

Answer:

They have been placed in your
property and you will receive them
when you are released.

If you are requesting any medical
records you will need to submit
a request to get copies from records

Answered by: Corporal Onisto ID #: 64 Date: 8-25-2021

LARAMIE COUNTY SHERIFF'S DEPARTMENT

DETENTION DIVISION

INMATE GRIEVANCE/APPEAL

Grievance # 08-2421 2145

Inmate: (Last) (First) (Middle)

Willner SR Chris MDate: 8-25-21 POD M Room 406Check One: ☐ Grievance ☐ Appeal of DHOGrievance of: ☐ Food Svc ☒ Medical ☐ Classification☐ Staff ☐ Other

Provide specific reason(s) for grievance/appeal:

ON 8/24/21 AT OR ABOUT 02:50 hrs. I suffered a major medical emergency. During this time the Dep Littau, the on duty POD officer, had already did his check and seen me laying on the inmate floor. The POD officer, intentionally, willfully and with gross neglect, failed to appropriately respond to my medical emergency. After another inmate pressed the emergency call intercom button, a nurse was finally summoned for help over 20 minutes later. Once the nurse arrived, she indicated to deputies to pretend to walk away, as she believed I was faking a illness. Finally the nurse realized it was a serious matter and 52 minutes later an ambulance was called. As a result of the deputy and medical personnel's lack of response, I suffered needlessly and was denied adequate medical care in violation of my constitutional rights, pursuant to 42 USC 1988


Received By: Buckley I.D. No.: 121 Date/Time: 082421 2145SPVR Review: Corporal Onisto I.D. No.: 64 Date/Time: 8-25-21 0132Routed To: ☐ Programs ☐ Classification ☐ Medical ☐ Admin.
☐ Security LT. ☐ Sup Svc Lt. ☐ OtherAnswer: ☐ Approved/ Valid ☒ Disapproved/ Invalid
☐ Other

After speaking with Deputy Littau he did observe you lying on the floor what appeared to him that you were breathing, sleeping on the floor like you have multiple times.

After speaking to the Nurse she did say to step from the door to the other Deputies to see if you tried to move your neck. Nothing about you were faking it.

Answered By: Corporal Onisto I.D. No.: 64 Date/Time: 8-25-21 0139

LARAMIE COUNTY SHERIFF'S DEPARTMENT

DETENTION DIVISION

INMATE GRIEVANCE/APPEAL

ance # 08 - 25212123

e: (Last) (First) (Middle)

Littau SR

Chick

M

8-26-21 POD M Room 406

Work One: ☒ Grievance ☐ Appeal of DHO
 vance of: ☐ Food Svc ☐ Medical ☐ Classification
☐ Staff ☐ Other

Provide specific reason(s) for grievance/appeal:

On the 24th of August around 2:50AM I suffered
 major medical emergency. During this time the
 1 Duty Pod officer Littau. Had Already Performed
 Security Check and observed me screaming
 and Pleasing for Help. The Pod Officer
 stationnally, willfully and with gross
 neglect, failed to appropriately respond to my
 medical emergency. After another inmate
 pressed the emergency cell intercom button
 a nurse was formally summoned for help
 approximately 30 minutes later. Once the
 nurse arrived she indicated to the Pod officer
 to prevent me from work. As she stated
 I was taking an illness. Finally the
 nurse replied it was a serious matter
 and 52 minutes later a paramedic was called.
 As a result of the delay and the lack
 of response I suffered immensely and was
 denied adequate medical care in violation of
 my constitutional rights, pursuant to 42 USC 1983

Received By: [Signature] I.D. No.: 012 Date/Time: 8/25/21 2:23

SPVR Review: [Signature] I.D. No.: 203 Date/Time: 8/26/21 0:32

Routed To: ☐ Programs ☐ Classification ☐ Medical ☐ Admin.☒ Security LT. ☐ Sup Svc Lt. ☒ Other [Signature]Answer: ☐ Approved/ Valid ☒ Disapproved/ Invalid Lt. Johnson☐ Other

After review of this incident I conclude
 you received appropriate medical care.

Medical staff remained by your side until
 a paramedic arrived to
 transport you to Cheyenne Regional Medical
 Center.

Once at the local hospital you stayed for
 approximately 3 hours before a medical
 transport arrived and you were transported
 with no physical restrictions.

Answered By: [Signature] I.D. No.: 301 Date/Time: 9/3/21 14:51

LARAMIE COUNTY SHERIFF'S DEPARTMENT

DETENTION DIVISION

INMATE GRIEVANCE/APPEAL

09012/1655

0901202/1655

Grievance # -

Inmate: (Last) (First) (Middle)

Willmet SR

Chris

m

Date: 9-1-21 POD L Room 207

Check One ☒ Grievance ☐ Appeal of DHOGrievance of: ☐ Food Svc ☐ Medical ☐ Classification☐ Staff ☐ Other

Provide specific reason(s) for grievance/appeal: On the 24th

OF Aug. Around 250 AM I suffered a major medical emergency. During this time the on duty Pod Officer LATHAM had already performed a security seen me on the floor, yelling for help, the Pod Officer intentionally, willfully and with gross neglect, failed to appropriately respond to my medical emergency. After another inmate pressed the emergency call intercom button, a nurse was finally summoned for help, 20 minutes later once the nurse arrived she indicated to the Pod Officer/Deputies to pretend to walk away, as she believed I was faking an illness. Finally the nurse realized it was a serious matter and 52 minutes later an ambulance was called. As a result of the deputies and medicals lack of response I suffered needlessly and was denied adequate medical care in violation of my constitutional rights pursuant to 42 USC 1988

Received By: AVALOS 44 I.D. No.: 99 Date/Time: 10/5/21 17:20

SPVR Review: S. Ching I.D. No.: 204 Date/Time: 9/1/21 @ 1739

Routed To: ☐ Programs ☐ Classification ☐ Medical ☐ Admin.☐ Security LT. ☐ Sup Svc Lt. ☒ Other Lt. JohnsonAnswer: ☐ Approved/ Valid ☒ Disapproved/ Invalid☐ Other

This has already been answered

Answered By: [Signature] I.D. No.: 301 Date/Time: 9/3/21 1228

Chris Wintner, Sr
1910 Pioneer Avenue
Cheyenne, WY 82001



4.30

4 stamps



Laramie County
INMATE MAIL



District Court

United States
Office of the Clerk
2120 Capitol Avenue,
Cheyenne, WY 82001

Legal
Mail